

2614
PATENT *[Signature]*

Practitioner's Docket No. U 013624-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____ ()

Inventor(s)

for _____

Title of invention

OR

In re application of: **REUVEN WACHTFOGEL, et al**

Application No.: 09/914,747

Group No.: 2614

Filed: **NOVEMBER 27, 2001**

Examiner: N/A

For: **ADVERTISEMENTS IN AN END-USER CONTROLLED PLAYBACK ENVIRONMENT**

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

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37 C.F.R. 1.8(a)

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Clifford J. Mass

(type or print name of person certifying)

Date: December 20, 2004

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: 37 C.F.R. 1.98(b):

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

WARNING: No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

NOTE: The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

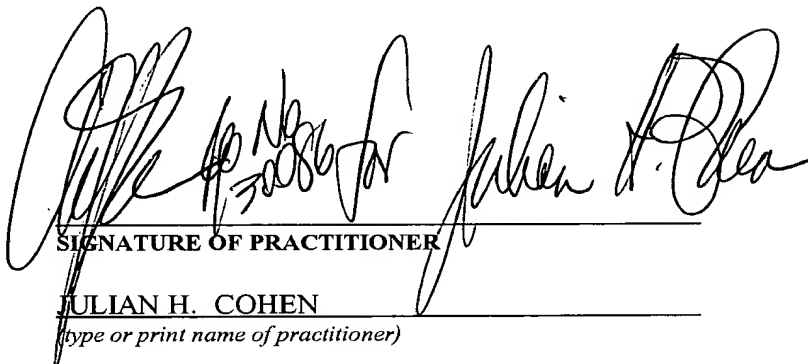
WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

If a fee is required, please charge deposit account 12-0425.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: REUVEN WACHTFOGEL¹, et al

Application No.: 09/914,747

Group No.: 2614

Filed: NOVEMBER 27, 2001

Examiner: N/A

For: ADVERTISEMENTS IN AN END-USER CONTROLLED PLAYBACK ENVIRONMENT

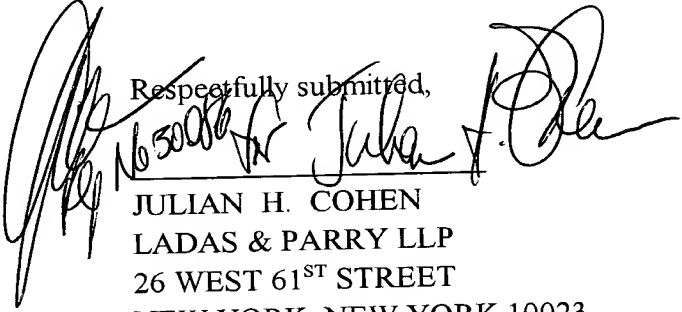
Attorney Docket No.: U 013624-1

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
Sir:

INFORMATION DISCLOSURE STATEMENT

We draw the attention of the Examiner to the attached references which are also listed on the attached Form PTO-1449.

Respectfully submitted,


JULIAN H. COHEN
LADAS & PARRY LLP
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG. NO. 20,302(212)708-1887

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10

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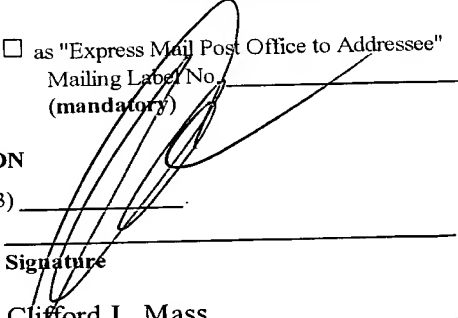
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TRANSMISSION

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Date: December 20, 2004


Signature

Clifford J. Mass

(type or print name of person certifying)

• Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FORM PTO-1449 U. S. DEPARTMENT OF COMMERCE
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ATTY. DOCKET NO.

SERIAL NO.

U 013624-1

09/914,747

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICANT

WACHTFOGEL, ET AL.

FILING DATE

GROUP

NOVEMBER 27, 2001

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	REFERENCE DESIGNATION	DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE
	AA	6,681,393	01/2004	BAUMINGER, ET AL.	
	AB	4,107,734	08/1978	PERCY, ET AL.	
	AC	4,308,554	12/1981	PERCY, ET AL.	
	AD	4,602,279	07/1986	FREEMAN	
	AE	4,677,466	06/1987	LERT, JR. ET AL.	
	AF	4,745,468	05/1988	VON KOHORN	
	AG	4,876,592	10/1989	VON KOHORN	
	AH	4,905,080	02/1990	WATANABE, ET AL.	
	AI	4,926,255	05/1990	VON KOHORN	
	AJ	5,034,807	07/1991	VON KOHORN	
	AK	5,057,915	10/1991	VON KOHORN	
	AL	5,128,752	07/1992	VON KOHORN	
	AM	5,227,874	07/1993	VON KOHORN	
	AN	5,249,044	09/1993	VON KOHORN	
	AO	5,373,440	12/1994	COHEN, ET AL.	
	AP	5,412,416	05/1995	NEMIROFSKY	
	AQ	5,481,294	01/1996	THOMAS, ET AL.	
	AR	5,483,276	01/1996	BROOKS, ET AL.	
	AS	5,488,423	01/1996	WALKINGSHAW, ET AL.	
	AT	5,504,519	04/1996	REMILLARD	
	AU	5,530,469	06/1996	GARFINKLE	
	AV	5,539,822	07/1996	LETT	
	AW	5,550,681	08/1996	MAZARAC	
	AX	5,555,308	09/1996	LEVIEN	
	AY	5,566,353	10/1996	CHO, ET AL.	
	AZ	5,585,858	12/1996	HARPER, ET AL.	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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PATENT AND TRADEMARK OFFICE

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U 013624-1

09/914,747

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT

WACHTFOGEL, ET AL.

FILING DATE

GROUP

NOVEMBER 27, 2001

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	REFERENCE DESIGNATION	DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE
	AA	5,619,250	04/1997	MCCLELLAN, ET AL.	
	AB	5,635,978	06/1997	ALTEN, ET AL.	
	AC	5,640,192	06/1997	GARFINKLE	
	AD	5,666,645	09/1997	THOMAS, ET AL.	
	AE	5,737,527	04/1998	SHIELDS, ET AL.	
	AF	5,759,101	06/1998	VON KOHORN	
	AG	5,760,821	06/1998	ELLIS, ET AL.	
	AH	5,761,601	06/1998	NEMIROFSKY, ET AL.	
	AI	5,761,648	06/1998	GOLDEN, ET AL.	
	AJ	5,946,664	08/1999	EBISAWA	
	AK	5,970,469	10/1999	SCROGGIE, ET AL.	
	AL	5,978,013	11/1999	JONES, ET AL.	
	AM	6,057,872	05/2000	CANDELORE	
	AN	6,064,978	05/2000	GARDNER, ET AL.	
	AO	6,070,145	05/2000	PINSLEY, ET AL.	
	AP	6,075,971	06/2000	WILLIAMS, ET AL.	
	AQ	2001-0049820	12/2001	BARTON	
	AR	2002/0144262	10/2002	PLOTNICK, ET AL.	
	AS	2002/0176702	11/2002	FRANTZ	
	AT	2003/0154128	08/2003	LIGA, ET AL.	
	AU	2004-0103429	05/2004	CARLUCCI, ET AL.	
	AV	6,373,534	04/2002	YASUKI, ET AL.	
	AW				
	AX				
	AY				

EXAMINER

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	AA				
	AB				
	AC				
	AD				
	AE				
	AF				
	AG				
	AH				
	AI				
	AJ				
	AK				

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AL	2 192 297	01/1988	GB		
	AM	96/15603	05/1996	WO		
	AN	97/02537	01/1997	WO		
	AO	97/20279	06/1997	WO		
	AP	01/47279	06/2001	WO		
	AQ	03/067394	08/2003	WO		

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

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